

Message Text

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TO AMEMBASSY MEXICO PRIORITY

INFO AMCONSUL CIUDAD JUAREZ

AMCONSUL GUADALAJARA

AMCONSUL HERMOSILLO

AMCONSUL MATAMOROS

AMCONSUL MAZATLAN

AMCONSUL MERIDA

AMCONSUL MONTERREY

AMCONSUL NUEVO LAREDO

AMCONSUL TIJUANA

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E.O. 11652: N/A

TAGS: CASC, MX

SUBJECT: PRESS GUIDANCE PREPARED ON ISSUE OF AMERICAN
PRISONERS IN MEXICO

1. THE FOLLOWING PRESS GUIDANCE WAS PREPARED IN CONNECTION
WITH THIS MORNING'S (OCT. 22) NBC QUOTE TODAY UNQUOTE
SHOW THAT DEALT WITH AMERICAN PRISONERS IN MEXICO:

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Q. ON THIS MORNING'S QUOTE TODAY UNQUOTE SHOW, ONE OF THE INTERVIEWEES ACCUSED THE US NARCOTICS AGENTS OF FINGERING POSSIBLE AMERICAN DRUG SMUGGLERS IN TRANSIT THROUGH MEXICO. IS THIS TRUE?

A. UNDER THE 1961 UNITED NATIONS SINGLE NARCOTICS CONVENTION, TO WHICH THE UNITED STATES, MEXICO, AND SCORES OF OTHER COUNTRIES ARE SIGNATORIES, THE MEMBERS ARE OBLIGED TO EXCHANGE INFORMATION ABOUT NARCOTICS TRAFFICKING AND TRAFFICKERS, INCLUDING THOSE CASES IN WHICH ONE NATION'S AUTHORITIES HAVE GOOD REASON TO BELIEVE THAT AN INDIVIDUAL IS ON A SMUGGLING RUN. FURTHER, SOME PEOPLE HAVE THE MISUNDERSTANDING THAT AN INTERNATIONAL AIRPORT OR ANY SECTION OF IT, INCLUDING THE TRANSIT LOUNGE OR AIRPLANES

THAT LAND THERE, ARE NOT UNDER THE JURISDICTION OF LOCAL LAW. NOTHING COULD BE FURTHER FROM THE TRUTH.

Q. IF WE KNOW WHO THE TRAFFICKERS ARE, WHY DOES THE DEA TRY TO HAVE THEM ARRESTED IN MEXICO, AND NOT WAIT UNTIL THEY ARRIVE IN THE UNITED STATES?

A. FIRST, BECAUSE, AS I STATED ABOVE, WE ARE OBLIGED TO BY THE SINGLE NARCOTICS CONVENTION TO DO SO. BEYOND THAT, IT IS ALMOST AXIOMATIC THAT LAW ENFORCEMENT AUTHORITIES TRY TO CATCH CRIMINALS IN THEIR ACTIVITY AT THE EARLIEST POSSIBLE OPPORTUNITY, AND ALSO TO PRECLUDE TRAFFICKERS FROM PASSING DRUGS TO OTHER COURIERS.

Q. WHAT DID AMBASSADOR JOVA MEAN WHEN HE SAID THAT SOME GOOD MIGHT COME OUT OF THE SITUATION OF AMERICAN PRISONERS IN MEXICO?

A. I BELIEVE HE MEANT THAT IF PUBLICITY ABOUT AMERICAN PRISONERS IN MEXICO DETERS EITHER EXPERIENCED OR NOVICE DRUG TRAFFICKERS FROM BRINGING NARCOTICS INTO THE COUNTRY, EVERYONE WOULD BENEFIT, SINCE OUR SOCIETY WOULD BE THAT MUCH LESS AFFECTED BY THE AWFUL TRAFFIC IN DRUGS AND THERE WOULD BE FEWER AMERICANS SUFFERING INCARCERATION ABROAD.

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Q. WHY IS THE US EMBASSY IN MEXICO NOT DOING MORE TO STOP THE TORTURE AND ABUSE OF AMERICAN PRISONERS?

A. IN EVERY DOCUMENTED INSTANCE OF ABUSE OR MISTREATMENT OF AMERICAN PRISONERS THE EMBASSY OR THE CONSULATE IN THE LOCAL JURISDICTION, AS THE CASE MAY BE, DIRECT APPROACHES AT THE WORKING LEVEL AND/OR PROTESTS TO THE MEXICAN GOVERNMENT. ONE OF THE PROBLEMS HAS BEEN THAT IN THOSE

FEW INSTANCES WHERE ABUSE EVIDENTLY HAS TAKEN PLACE, IT HAS USUALLY BEEN IN THE FIRST FEW HOURS FOLLOWING ARREST, BEFORE CONSULAR ACCESS HAS BEEN OBTAINED. RECENTLY, THE MEXICAN ATTORNEY GENERAL ISSUED ORDERS TO ENFORCEMENT AUTHORITIES TO INFORM US CONSULATES IMMEDIATELY UPON THE ARREST OF AN AMERICAN CITIZEN. WE HOPE THIS WILL PRECLUDE THE BULK OF THE PROBLEM. WE CONTINUE TO WORK HARD ON THIS AND ALL OTHER ASPECTS.

Q. HOW MANY AMERICANS ARE IMPRISONED IN JAILS IN MEXICO FOR DRUG RELATED CHARGES?

A. THERE ARE APPROXIMATELY 550 AMERICANS IN JAILS IN MEXICO. THE MAJORITY ARE SERVING SENTENCES FOR DRUG TRAFFICKING.

Q. WHAT DOES THE DEPARTMENT HAVE TO SAY ABOUT THE CHARGE THAT THE EMBASSY IN MEXICO AND THE STATE DEPARTMENT HAVE BEEN NEGLIGENT IN PROTECTING THE RIGHTS OF THESE AMERICANS?

A. THE PROBLEM THAT EXISTS TODAY GREW MONUMENTALLY IN THE EARLY 1970'S WHEN THE GOVERNMENT OF MEXICO BEGAN A CRACKDOWN ON DRUG TRAFFICKING. THE EMBASSY AND CONSULATES WERE BESEIGED WITH AMERICANS BEING ARRESTED IN THE 1970'S. THE NUMBERS JUMPED FROM A SMALL FIGURE TO PRESENTLY OVER 550 AMERICANS. A CONSULAR OFFICER CAN DO THE FOLLOWING FOR AN ARRESTED AMERICAN -- SEE THAT HIS OR HER RIGHTS ARE NOT VIOLATED UNDER THE LAWS OF THAT COUNTRY -- IN THIS CASE -- THE COUNTRY OF MEXICO; WE PROVIDE THEM WITH A LIST OF LAWYERS; WE ATTEND THEIR TRIALS WHEREVER POSSIBLE; WE NOTIFY THEIR FRIENDS OR FAMILY; BUT A CONSULAR OFFICER CANNOT GET AN AMERICAN CITIZEN OUT OF JAIL. WHEN THE EMBASSY WOULD LEARN OF VIOLATIONS OF

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AMERICAN PRISONER'S RIGHTS, THEY WOULD INTERVIEW THE PRISONER AND IF THE ALLEGATIONS HAD A BASIS, THEN NOTES WERE SENT TO THE FOREIGN MINISTRY. FOR SOME MONTHS NOW WE HAVE BEEN GOING OVER EVERY INDIVIDUAL CASE - A TOTAL OF 550. SINCE JULY WHEN WE LAST DISCUSSED THIS WITH THE COMMITTEE THERE HAVE BEEN 97 ADDITIONAL ARRESTS. IN THE PAST TWO YEARS THERE HAS BEEN A THREE-FOLD INCREASE IN THE NUMBERS OF AMERICANS ARRESTED IN MEXICO.

Q. DURING THIS PERIOD OF TIME WHEN THERE ARE OVER 550 AMERICANS IN JAILS ARE THERE ANY AMERICANS BEING RELEASED?

A. YES, WE HAVE A SIGNIFICANT NUMBER BEING RELEASED.

2. NOTE: SINCE THERE HAVE BEEN A NUMBER OF COMMENTS MADE CONCERNING THE PERFORMANCE OF THE EMBASSY IN MEXICO CITY IN THIS REGARD, AMBASSADOR JOVA HAS ASKED US TO MAKE IT CLEAR THAT HE HAS FROM THE BEGINNING TAKEN A DEEP PERSONAL INTEREST IN THE WELFARE OF THE PRISONERS AND HAS MADE REPRESENTATIONS ON THEIR BEHALF AT THE HIGHEST LEVELS OF THE MEXICAN GOVERNMENT. HE HAS ALSO TAKEN A PERSONAL INTEREST IN THE CONSULARVISITATION AND WELFARE PROGRAM, AND HAS HIMSELF VISITED SOME OF THE PRISONS.

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